

Dkt. 62429/JPW/AJM/AHM

#13

B  
5-24-03  
(NE)IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David M. Stern and Shi Du Yan  
Serial No.: 09/638,695 Group Art Unit: 1632  
Filed : August 14, 2000 Examiner: Thaian N. Ton  
For : TRANSGENIC MICE OVER-EXPRESSING ABAD AND MUTANT  
APP IN BRAIN AS MODEL OF ALZHEIMER'S DISEASE AND  
USES THEREOF

1185 Avenue of the Americas  
New York, New York 10036  
May 12, 2003

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

COMMUNICATION

This Communication is submitted in response to an April 14, 2003 Advisory Action issued by the United States Patent and Trademark Office and a May 9, 2003 telephonic interview between the undersigned attorney, Alan J. Morrison, Esq., and Examiner Deborah Crouch in connection with the above-identified application.

During the May 9, 2003 interview, the Examiner stated that upon receipt from applicants of a copy of the last page of applicants' March 27, 2003 Communication bearing the signature and the signed and dated First Class Certificate of Mailing, the Examiner would consider the March 27, 2003 Communication. Accordingly, applicants are facsimile transmitting herewith, as **Exhibit A**, a copy of the last page of the March 27, 2003 Communication.

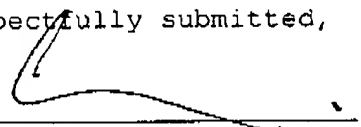
If a telephone interview would be of assistance in advancing

Applicants : David M. Stern et al.  
Serial No. : 09/638,695  
Filed : August 14, 2000  
Page 2

prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Alan J. Morrison  
Registration No. 37,399  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

# EXHIBIT A

Applicants : David M. Stern et al.  
Serial No. : 09/638,695  
Filed : August 14, 2000  
Page 8

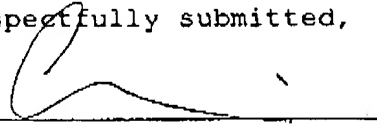
Summary

In view of the remarks set forth above, applicants respectfully request that the Examiner allow the pending claims.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

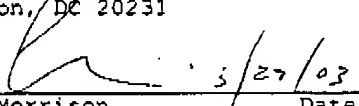
No fee, other than the enclosed \$465.00 fee for a three-month extension of time, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

  
John P. White  
Registration No. 28,678  
Alan J. Morrison  
Registration No. 37,399  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner of Patents  
Washington, DC 20231  
Box AF

 5/27/03  
Alan J. Morrison Date  
Reg. No. 37,399

## COOPER &amp; DUNHAM LLP

ATTORNEYS AT LAW

1185 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036

TELEPHONE: (212) 278-0400

CHRISTOPHER C. DUNHAM  
NORMAN H. ZIVIN  
JOHN P. WHITE  
WILLIAM E. FELTON  
ROBERT D. KATZ  
PETER J. PHILLIPS  
WENDY E. MILLER  
ROBERT T. MALDONADO  
ERIC D. KIRSCH  
ALAN J. MORRISON  
GARY J. GERSHIK  
MICHAEL F. MORANO  
FRANK A. BRUNO  
JASON S. MARIN  
KEITH J. BARKAUS  
HARVEY AGOSTO  
ANTHONY V. FLINT\*

IVAN S. KAVRUKOV  
PETER D. MURRAY  
JAY N. MAIOLI  
ROBERT B. G. HOROWITZ  
DONALD S. DOWDEN  
DONNA A. TOBIN  
RICHARD S. MILNER  
RICHARD F. JAWORSKI  
PAUL TENG  
PEDRO C. FERNANDEZ  
TODD W. EVANS  
ALAN D. MILLER  
CHRISTINE S. NICKLES  
SPYROS S. LOUKAKOS\*  
MARIA V. MARUCCI  
DEEPRO R. MUKERJEE

FACSIMILE: (212) 391-0525  
(212) 391-0526  
(212) 391-0630

OF COUNSEL  
JOHN R. GARBER  
MARK A. FARLEY

SCIENTIFIC ADVISORS  
BRIAN J. AMOS, PH.D.  
NICHOLAS F. MUTO, PH.D.  
JOSEPH B. CRYSTAL, PH.D.  
ARMAND L. BALBONI, M. PHIL.  
MURIEL M. LIBERTO, PH.D.

FOUNDED 1887

www.cooperdunham.com

**FACSIMILE TRANSMISSION**

\* NEW YORK STATE BAR ADMISSION PENDING

PLEASE DELIVER THE FOLLOWING PAGES

TO : Examiner Thaian N. Ton  
Re: U.S. Serial No. 09/638,695  
Applicants: D. Stern and S. Yan

COMPANY/FIRM : U.S. Patent and Trademark Office

FACSIMILE NO.: (703) 746-3159

FROM : Alan J. Morrison/AHM

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 5

DATE : May 12, 2003 TIME: \_\_\_\_\_

CLIENT/DOCKET: 0575/62429

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE TO (212) 278-0400.

## MESSAGE:

=====

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS TRANSMISSION MAY BE AN ATTORNEY-CLIENT COMMUNICATION CONTAINING INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT A DESIGNATED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO A DESIGNATED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF UPON READING THIS DOCUMENT YOU HAVE REASON TO BELIEVE THAT THE DOCUMENT WAS INADVERTENTLY SENT TO YOU, PLEASE NOTIFY US IMMEDIATELY BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.